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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONSTANCE FENTON,

Defendant.

Case No. 2:12-cr-400-JAD-GWF-3

ORDER

**STIPULATION TO EXTEND
SURRENDER DATE TO ALLOW
FOR MEDICAL TREATMENT
(THIRD EXTENSION)**

COMES NOW the Defendant, CONSTANCE FENTON, by and through her counsel of record, MICHAEL R. PANDULLO, ESQ., and pursuant to stipulation by the parties as set forth below, hereby requests that this Honorable Court extend the Defendant's surrender date to allow for medical treatment. In support hereof, the Defendant gives the Court to understand as follows:

1. On October 24, 2012 the United States filed a 20-count Indictment charging Ms. Fenton and her co-defendants with various crimes relating to an investment scheme.

2. On September 17, 2014, Ms. Fenton entered a plea of guilty to Count 9 of the Indictment, Conspiracy to Commit Money Laundering (18 USC §1956(h)).

3. This matter came before the Court for sentencing on March 2, 2015. With respect to incarceration, the Court ordered Ms. Fenton to serve 6 months incarceration in the U.S. Bureau

1 of Prisons (BOP), followed by 3 years of supervised release, the first 6 months to be spent on
2 home detention.

3 4. The Court provided Ms. Fenton with a self-surrender date of June 2, 2015.

4 5. During her annual mammogram on March 11, 2015, doctors discovered a tumor in
5 Ms. Fenton's right breast.

6 6. On May 29, 2015, Ms. Fenton filed a Stipulation to extend the surrender date to allow
7 time for further medical evaluation and treatment. The Court granted the request by Order filed
8 May 29, 2015, extending the surrender date 30 days to July 2, 2015.

9 7. On June 30, 2015, Ms. Fenton filed a second Stipulation to extend the surrender date
10 to allow her to undergo a Lumpectomy and post-operative care, to include either radiation or
11 chemotherapy, as determined by her doctor. The Court granted the request by Order filed July 1,
12 2015, extending the surrender date 90 days to October 2, 2015.

13 8. Ms. Fenton now submits this third Stipulation to extend the surrender date to allow for
14 ongoing cancer treatment.

15 9. More specifically, the Lumpectomy was performed July 16, 2015. The post-operation
16 pathology report indicated radiation treatment. However, the treatment had to be delayed
17 because, following the operation, Ms. Fenton developed an infection (Cellulitis) and an irregular
18 heart beat (Atrial Fibrillation). The infection has since cleared up but the heart condition
19 remains. She will be meeting with her cardiologist on September 25, 2015. At the conclusion of
20 the appointment, the cardiologist will contact Ms. Fenton's primary physician to advise whether
21 radiation can proceed without further delay. If so, she will undergo the radiation treatment five
22 days per week, for approximately seven weeks. Ms. Fenton is currently 71 years old.

23 10. Medical records documenting the foregoing have been provided to the Assistant
24 United States Attorney.

11. The probation officer supervising Ms. Fenton's release in the State of Washington,
Mark Okano, is aware of the status of her ongoing medical treatment. Mr. Okano is supportive

1 of this third extension, as confirmed by telephone on September 22, 2015. He reports Ms.
2 Fenton continues to be fully compliant with the conditions of her release.

3 12. The Assistant United States Attorney stipulates to a 30-day extension.

4 WHEREFORE, the Defendant requests that this Honorable Court extend her surrender
5 date of October 2, 2015 for a period of 30 days, and that the Court put this matter on its calendar
6 for hearing.

7 RESPECTFULLY SUBMITTED this 1st day of October, 2015.

8 MICHAEL R. PANDULLO, ESQ.

9 /s/ Michael R Pandullo
10 MICHAEL R. PANDULLO, ESQ.
11 *Attorney for Defendant Constance Fenton*

12 STIPULATED AND AGREED TO:

13 /s/ Steven W Myhre
14 STEVEN W. MYHRE, ESQ.
15 Assistant United States Attorney

16 **ORDER**

17 IT IS HEREBY ORDERED that the Defendant's self-surrender date of October 2, 2015
18 is hereby extended to the 2nd day of November, 2015.

19 IT IS FURTHER ORDERED that this matter come before the Court for hearing on the
20 8th day of October, 2015, at 9:30 a.m. in Courtroom 6D.

21 BY THE COURT

22 
23 JENNIFER A. DORSEY
24 United States District Judge